

Message to the Senate Transmitting Conventional Weapons Convention Protocols on Mines, Incendiary Weapons, and Blinding Lasers With Documentation *January 7, 1997*

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the following Protocols to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects: the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II or the amended Mines Protocol); the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III or the Incendiary Weapons Protocol); and the Protocol on Blinding Laser Weapons (Protocol IV). Also transmitted for the information of the Senate is the report of the Department of State with respect to these Protocols, together with article-by-article analyses.

The most important of these Protocols is the amended Mines Protocol. It is an essential step forward in dealing with the problem of anti-personnel landmines (APL) and in minimizing the very severe casualties to civilians that have resulted from their use. It is an important precursor to the total prohibition of these weapons that the United States seeks.

Among other things, the amended Mines Protocol will do the following: (1) expand the scope of the original Protocol to include internal armed conflicts, where most civilian mine casualties have occurred; (2) require that all remotely delivered anti-personnel mines be equipped with self-destruct devices and backup self-deactivation features to ensure that they do not pose a long-term threat to civilians; (3) require that all nonremotely delivered anti-personnel mines that are not equipped with such devices be used only within controlled, marked, and monitored minefields to protect the civilian population in the area; (4) require that all anti-personnel mines be detectable using commonly available technology to make the task of mine clearance easier and safer; (5) require that the party laying mines assume responsibility for them to ensure against their irresponsible and indiscriminate use; and (6) provide more effective

means for dealing with compliance problems to ensure that these restrictions are actually observed. These objectives were all endorsed by the Senate in its Resolution of Ratification of the Convention in March 1995.

The amended Mines Protocol was not as strong as we would have preferred. In particular, its provisions on verification and compliance are not as rigorous as we had proposed, and the transition periods allowed for the conversion or elimination of certain noncompliant mines are longer than we thought necessary. We shall pursue these issues in the regular meetings that the amended Protocol provides for review of its operation.

Nonetheless, I am convinced that this amended Protocol will, if generally adhered to, save many lives and prevent many tragic injuries. It will, as well, help to prepare the ground for the total prohibition of anti-personnel landmines to which the United States is committed. In this regard, I cannot overemphasize how seriously the United States takes the goal of eliminating APL entirely. The carnage and devastation caused by anti-personnel landmines—the hidden killers that murder and maim more than 25,000 people every year—must end.

On May 16, 1996, I launched an international effort to this end. This initiative sets out a concrete path to a global ban on anti-personnel landmines and is one of my top arms control priorities. At the same time, the policy recognizes that the United States has international commitments and responsibilities that must be taken into account in any negotiations on a total ban. As our work on this initiative progresses, we will continue to consult with the Congress.

The second of these Protocols—the Protocol on Incendiary Weapons—is a part of the original Convention but was not sent to the Senate for advice and consent with the other 1980 Protocols in 1994 because of concerns about the acceptability of the Protocol from a military point of view. Incendiary weapons have significant potential military value, particularly with respect to flammable military targets that cannot so

readily be destroyed with conventional explosives.

At the same time, these weapons can be misused in a manner that could cause heavy civilian casualties. In particular, the Protocol prohibits the use of air-delivered incendiary weapons against targets located in a city, town, village, or other concentration of civilians, a practice that caused very heavy civilian casualties in past conflicts.

The executive branch has given very careful study to the Incendiaries Protocol and has developed a reservation that would, in our view, make it acceptable from a broader national security perspective. This proposed reservation, the text of which appears in the report of the Department of State, would reserve the right to use incendiaries against military objectives located in concentrations of civilians where it is judged that such use would cause fewer casualties and less collateral damage than alternative weapons.

The third of these three Protocols—the new Protocol on Blinding Lasers—prohibits the use or transfer of laser weapons specifically designed to cause permanent blindness to unenhanced vision (that is, to the naked eye or to the eye with corrective devices). The Protocol also re-

quires Parties to take all feasible precautions in the employment of other laser systems to avoid the incidence of such blindness.

These blinding lasers are not needed by our military forces. They are potential weapons of the future, and the United States is committed to preventing their emergence and use. The United States supports the adoption of this new Protocol.

I recommend that the Senate give its early and favorable consideration to these Protocols and give its advice and consent to ratification, subject to the conditions described in the accompanying report of the Department of State. The prompt ratification of the amended Mines Protocol is particularly important, so that the United States can continue its position of leadership in the effort to deal with the humanitarian catastrophe of irresponsible landmine use.

WILLIAM J. CLINTON

The White House,
January 7, 1997.

NOTE: This message was released by the Office of the Press Secretary on January 8.

Letter to Congressional Leaders Reporting on Iraq's Compliance With United Nations Security Council Resolutions

January 7, 1997

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) and as part of my effort to keep the Congress fully informed, I am reporting on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council (UNSC). This report covers the period from November 4 to the present.

Saddam Hussein remains a threat to his people and the region. The United States successfully responded to the increased threat resulting from Saddam's attack on Irbil in late August, but he continues to try to manipulate local rivalries in northern Iraq to his advantage. The United States and our coalition partners continue to enforce the no-fly zone over southern Iraq. Enforcement of the northern no-fly zone

also continues uninterrupted, despite a restructuring of operations. Because of changes in its mission as a result of the closing last fall of the Military Command Center (MCC) in the city of Zakho, Iraq and the shift of humanitarian assistance in the north under UNSCR 986 to international organizations, the designation "Provide Comfort" will no longer be used to describe the operation. The United Kingdom will continue to take part in this mission; however, France has chosen not to continue to participate in this endeavor. None of these changes affect our firm commitment to ensuring that the northern no-fly zone is fully enforced.

Besides our air operations, we will continue to maintain a strong U.S. presence in the region in order to deter Saddam. U.S. force levels have returned to approximate pre-Operation Desert